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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,982	03/05/2002	Junichi Tanaka	500.41371X00	6965

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EXAMINER

HASSANZADEH, PARVIZ

ART UNIT	PAPER NUMBER
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1763

DATE MAILED: 08/26/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/087,982

Applicant(s)

TANAKA ET AL.

Examiner

Parviz Hassanzadeh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities: on page 1, line 18, it is suggested to delete the second occurrence of “plasma; on page 3, line 1, it is suggested to delete “when the”.

Appropriate correction is required.

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because: reference character “42” has been used to designate both “DATABASE COPY” and “COPY SERVER” in Fig. 2, see page 7, line 20; and reference character “221” has been used to designate both “SENSOR DATA FILE” and “DATA MANAGEMENT TABLE” in Fig. 2, see page 7, lines 15-17. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Figure 12 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art (Fig. 12, pages 1-2) in view of Seaton et al (US Patent No. 5,591,299).**

The admitted prior art (Fig. 12) teaches a data processing apparatus for a semiconductor manufacturing apparatus, comprising:

a semiconductor manufacturing apparatus (etching system 1 including etching chambers 11, 12) for executing processing for a wafer;

a data collecting semiconductor device (data collector 2 including data processor 21 and database 22) for collecting processing data generated in association with the processing.

The admitted prior art fails to teach a data copying semiconductor device for extracting the processing data collected in the data collecting semiconductor device and for producing a copy of the processing data.

Seaton et al teach a semiconductor processing system (Fig. 1B) comprising a system monitoring system including a floppy disk drive 24 for storing various aspects of operation of a

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processor 10; a supervisor computer 102 in communication with the processor 10 and including a hard drive 103 for storing the recipes for implementation by the processor; and an engineering computer 106 in communication with a plurality of supervisor computers such as the supervisor computer 102 and including an archive computer 109a and associated archive disk drive 109b for archiving data capture files for longer periods of time. The data capture disk drive 109b comprises five hard drives each having 800 to 900 MB of disk space. Moreover, because the capture disk 109b is networked, it is accessible by any computer in the spray processor host system 100. the archive computer 109a periodically copies data capture files stored in transmitted to the supervisor computer 102. (column 4, line 57 through column 6, line 12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the archive computer mechanism as taught by Seaton et al in the apparatus of admitted prior art in order to periodically copy data capture files on a series of large capacity memory for later processing.

*Further regarding claims 2, 4, 5:* the engineering computer 106 is in communication with the archive hard drive 109b via archive computer 109a and is capable of analyzing data.

*Further regarding claims 3, 6:* capture disk 109b is networked (removable).

*Further regarding claims 7-10:* the archive hard drive 109b is accessible to a plurality of computers through network line 108, thus the data can be accessed and analyzed independently.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Kagoshima et al (US Patent Application Publication No. 2003/0003607 A1) teach a plasma process system (Fig. 11) including a processed result database S5 and a processing state signal database S3 both in communication with a correlation analyzer S6; and

Smith et al (US Patent No. 6,077,386) teach a plasma processing system (Fig. 6) including plasma monitor control unit 128 in communication with main control unit 58, a display 130 and one or more data entry device 132 (column 32, lines 34-51 and column 36, lines 30-52).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parviz Hassanzadeh whose telephone number is (703)308-2050. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Mills can be reached on (703)308-1633. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0661.

  
Parviz Hassanzadeh  
Primary Examiner  
Art Unit 1763

August 18, 2003